

Attorney's Docket No.: 06618-408002 / CIT 2942-D

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: S. Prakash et al. Art Unit : 1745
Serial No.: 09/912,804 Examiner : Julian Mercado
Filed: July 24, 2001
Title : MEMBRANE ELECTRODE ASSEMBLY FOR A FUEL CELL

Commissioner for Patents
Mail Stop Amendment
P.O. Box 1450
Alexandria, VA 22313-1450

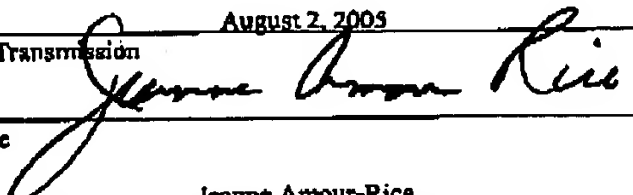
TERMINAL DISCLAIMER UNDER 37 C.F.R. §§3.73(b) AND 1.321(b)

Pursuant to 37 C.F.R. § 3.73(b), CALIFORNIA INSTITUTE OF TECHNOLOGY and the UNIVERSITY OF SOUTHERN CALIFORNIA, certify that they are the assignee of the entire right, title, and interest in the above-referenced application by virtue of an assignment from the inventors of the patent parent application referenced above. The assignment was recorded in the Patent and Trademark Office at Reel 012642, Frame 0889 on April 30, 2002. UNIVERSITY OF SOUTHERN CALIFORNIA certifies that it is the assignee of U.S. Patent No. 6,444,343.

The undersigned has reviewed all the documents in the chain of title of the above-referenced application and to the best of

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

August 2, 2005
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undersigned's knowledge and belief, title is in CALIFORNIA INSTITUTE OF TECHNOLOGY and the UNIVERSITY OF SOUTHERN CALIFORNIA.

The undersigned is empowered to act on behalf of the assignees.

Pursuant to 37 C.F.R. § 1.321(b), and to obviate a double patenting rejection, the assignee referenced above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above-referenced application subsequent to the expiration date of, provided that any patent granted on the above-referenced application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,444,343.

The assignee referenced above does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of U.S. Patent No. 6,444,343 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above.

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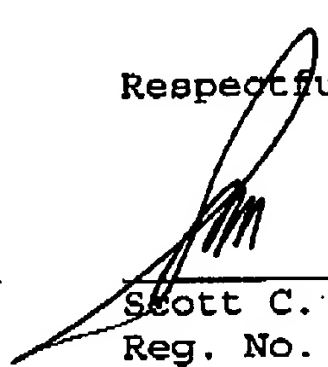
Assignee herein does not disclaim or otherwise affect any part
of U.S. Patent No. 6,444,343.

This disclaimer runs with any patent granted on the above-
referenced application and is binding upon the grantee, its
successors or assigns.

Please charge any additional fees, or make any credits, to
Deposit Account No. 06-1050, referencing Attorney Docket No.
06618-408002.

Respectfully submitted,

Date: 8/8/05



Scott C. Harris
Reg. No. 32,030

Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

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